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12 United States of America  
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15 IN THE UNITED STATES DISTRICT COURT  
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17 EASTERN DISTRICT OF CALIFORNIA

18 UNITED STATES OF AMERICA, Plaintiff,  
19 v.  
20 MICHAEL L. STEVENS, Defendant.  
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22 CASE NO. 2:04-CR-289 WBS  
23 STIPULATION AND [PROPOSED] ORDER TO  
24 CONTINUE ADMIT/DENY HEARING  
25 DATE: April 25, 2016  
26 TIME: 9:00 a.m.  
27 COURT: Hon. William B. Shubb  
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17 **STIPULATION**

18 Plaintiff United States of America, by and through its counsel of record, and defendant, by and  
19 through defendant's counsel of record, hereby stipulate as follows:

20 1. By previous order, this matter was set for an admit/deny hearing on April 25, 2016.  
21 2. By this stipulation, the parties now jointly move to continue the admit/deny hearing to  
22 May 23, 2016 at 9:00 a.m.

23 3. The defendant is facing California state criminal charges on the conduct alleged in his  
24 supervised release petition.

25 4. On December 16, 2014, U.S. Magistrate Judge Allison Claire ordered the defendant  
26 detained based on her finding that he posed a danger to the community. Dkt. #97. At the parties' last  
27 court appearance on November 16, 2015, they agreed to allow the federal matter to trail the state  
28 criminal case. Dkt. #117.

1       5.     A California Superior Court has since issued a writ moving the defendant to state  
2 custody. The writ specifies that the defendant shall remain in state custody until his state case is  
3 resolved, at which time he shall be returned to federal custody.

4       6.     On January 22, 2016, a California Superior Court ruled that there was probable cause to  
5 believe the defendant had committed the alleged state crime and held him to answer. The defendant's  
6 trial is set for May 2, 2016.

7       7.     When defense counsel met with the defendant on Thursday, March 10, 2016, the  
8 defendant said that he would like to appear in federal court to discuss an issue with the Court. Because  
9 the defendant is in state custody, the parties need to conduct legal and logistical research on whether and  
10 how this appearance might occur. The parties believe that the continuance will provide them with an  
11 opportunity to conduct this research.

12      8.     Additionally, defense counsel, who is new to the case, would like to review the transcript  
13 from the parties' last court appearance on November 16, 2015. He has placed an order for the transcript.  
14 This continuance should allow him to review the transcript with his client.

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9. U.S. Probation Officer Rebecca Fidelman is available to attend the admit/deny hearing on May 23, 2016.

IT IS SO STIPULATED.

Dated: April 22, 2016

BENJAMIN B. WAGNER  
United States Attorney

/s/ **AMANDA BECK**  
**AMANDA BECK**  
Assistant United States Attorney

Dated: April 22, 2016

/s/ DAVID FISCHER  
DAVID FISCHER  
Counsel for Defendant  
MICHAEL L. STEVENS

## ORDER

IT IS SO FOUND AND ORDERED.

Dated: April 25, 2016

William B. Shubb  
WILLIAM B. SHUBB  
UNITED STATES DISTRICT JUDGE